

EXHIBIT C

From: Michael N. Impellizeri
Sent: Monday, August 19, 2024 5:02 PM
To: Gibbs, J. Evan
Cc: Gorman, Daniel E.; kmulry@FarrellFritz.com; Kent, Paris L.; Krystal B. Armstrong; Ken Novikoff; Michael Mule; Nicole Koster
Subject: FW: [EXTERNAL] Activity in Case 2:23-cv-02084-GRB-SIL Siteone Landscape Supply, LLC v. Giordano et al Motion to Compel

Evan:

We are receipt of SiteOne's below motion to compel which requests, among other things, that the Vic Defendants provide supplemental discovery responses by August 23rd.

This motion should be withdrawn – as it is both procedurally and substantively without merit. Initially, since our email on Friday, your office failed to contact us, or meet with us, to discuss prior to filing (certainly not by phone or in-person – as required by the Court's Part Rules). Substantively, we never intimated that we would not be providing supplemental discovery responses. To the contrary, on Friday, we provided you with an update that supplemental responses would be forthcoming. Had you picked up the phone, and asked if they would be received by August 23rd, the answer would have been "yes." Then, you would not have had to waste the parties' time and, more importantly, the Court's time, with needless motion practice.

Given that our response to your motion is due Friday, August 23, 2024, please confirm by 5:00 PM, tomorrow, August 20, 2024, that your motion will be withdrawn.



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From: ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>

Sent: Monday, August 19, 2024 9:59 AM

To: nobody@nyed.uscourts.gov

Subject: [EXTERNAL] Activity in Case 2:23-cv-02084-GRB-SIL Siteone Landscape Supply, LLC v. Giordano et al Motion to Compel

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U.S. District Court

Eastern District of New York

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The following transaction was entered by Gibbs, John on 8/19/2024 at 9:58 AM EDT and filed on 8/19/2024

Case Name: Siteone Landscape Supply, LLC v. Giordano et al

Case Number: [2:23-cv-02084-GRB-SIL](#)

Filer: Siteone Landscape Supply, LLC

Document Number: [141](#)

Docket Text:

[Letter MOTION to Compel and for Sanctions Against Defendants Victor Caroleo; Nicholas Giordano; Narrow Way Realty Ltd.; Narrow Way 2 LLC; Scapes Supply LLC; Neway Management; and Group 5 Associates Ltd. by Siteone Landscape Supply, LLC. \(Attachments: # \(1\) Exhibit 1, # \(2\) Exhibit 2, # \(3\) Exhibit 3, # \(4\) Exhibit 4, # \(5\) Exhibit 5, # \(6\) Exhibit 6, # \(7\) Exhibit 7, # \(8\) Exhibit 8\) \(Gibbs, John\)](#)

2:23-cv-02084-GRB-SIL Notice has been electronically mailed to:

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2:23-cv-02084-GRB-SIL Notice will not be electronically mailed to:

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Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP NYEDStamp_ID=875559751 [Date=8/19/2024] [FileNumber=19229066-0]
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Document description:Exhibit 1

Original filename:n/a

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Document description:Exhibit 2

Original filename:n/a

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Document description:Exhibit 3

Original filename:n/a

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Document description:Exhibit 4

Original filename:n/a

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Document description:Exhibit 5

Original filename:n/a

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Document description:Exhibit 6

Original filename:n/a

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Original filename:n/a

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Document description:Exhibit 8

Original filename:n/a

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